

### **III. REMARKS**

Claims 1-24 and 31-36 are pending in this action. By this Amendment, claims 1, 9, 17, 31, 33 and 35 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

By the Amendment, claims 9 and 33 have been revised to, *inter alia*, correct typographical errors.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-24 and 31-36 are rejected under 35 U.S.C. 102(a) as allegedly being anticipated by Regan (US 6,756,242). Applicants respectfully submit that the claimed subject matter is allowable for the reasons that follow.

With respect to independent claims 1, 9, 17, 31, 33 and 35, as per the telephone interview with the Examiner on March 5, 2007, the Examiner and Applicants agree that Regan does not disclose the features of the claimed invention if the claims are amended to include “at least two problem objects.” By this Amendment, the claims have been so amended. As such, Applicants respectfully request withdrawal of the rejection.

In the telephone interview, the Examiner reminded Applicants to consider the additional

five prior art references, i.e., Kever et al. (US 2005/0081167), Allen et al. (US 2004/0230922), Li (US 2004/0064797), Meyer et al. (US 2003/0217347), and Hall (USPN 5,936,868), in making the response. Applicants carefully read the references and submit that they do not disclose or suggest the claimed invention. Specifically, for example, none of them discloses or suggests “determining which at least one of a plurality of scaling techniques is to be applied to each problem object.” (Claim 1, similarly claimed in claims 9, 17, 31, 33 and 35). In view of the foregoing, Applicants respectfully request the Office enter the amendments and allow the claimed subject matter.

During the telephone interview, the Examiner stated that this Amendment may not be entered because it would require further consideration of the references listed in section 7 of the Final Office Action. Applicants submit that the Office has clearly reviewed these references vis-à-vis the current application including the revisions made herein. In particular, the Office’s remarks in the Final Office Action and during the telephone interview clearly indicate that the Office has come to the conclusion that these references disclose more than one scaling factor. However, these references, as indicated above and as previously considered by the Office, do not disclose “determining which at least one of a plurality of scaling techniques is to be applied to each problem object.” (Claim 1, similarly claimed in claims 9, 17, 31, 33 and 35 (emphasis ours)). As stated in previous responses, Regan does not disclose the claimed invention including this feature. Accordingly, the Office has already considered the prior art relative to having more than one scaling factor and having a plurality of scaling techniques. Consequently, evaluation of the present claims does NOT require further consideration. Hence, Applicants submit that this Amendment is proper for entry at this stage without further continuations.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

/ Spencer K. Warnick /

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